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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	No. CR-09-901 SBA
)	
Plaintiff,)	STIPULATION AND ORDER TO
)	CONTINUE STATUS CONFERENCE
v.)	AND EXCLUDE TIME UNDER THE
)	SPEEDY TRIAL ACT
DWEN CURRY,)	
)	
Defendant.)	
_____)	

IT IS HEREBY STIPULATED AND AGREED between the plaintiff through its attorney, Joshua Hill, and the defendant through his attorney, Nina Wilder, that the status hearing presently set for April 20, 2010, be continued to May 18, 2010 at 9:00 a.m. The request for a continuance is due to the parties' continued discussion of the scope of additional discovery that must be available for review in this case. At the request of defense counsel, the government is conducting additional investigation concerning the loss amount in this case, which could impact the Guidelines calculation. Defense counsel continues to engage in investigation. The parties agree that the delay is not attributable to lack of diligent preparation on the part of the attorney for the government or defense counsel. For these reasons, the parties request that time under the Speedy Trial Act be excluded based on the government's need for reasonable time necessary for

1 effective preparation, taking into account the exercise of due diligence. The parties agree that
2 the waiver covers all time between the date of this stipulation and May 18, 2010.

3
4 IT IS SO STIPULATED:

5 Dated: April 16, 2010

/S/
NINA WILDER
Attorney for Defendant

6
7
8 Dated: April 16, 2010

/S/
JOSHUA HILL
Assistant United States Attorney

10
11 **ORDER**

12 GOOD CAUSE HAVING BEEN SHOWN, it is hereby ordered that the hearing in this
13 matter now scheduled for April 20, 2010 is hereby rescheduled for May 18, 2010 at 9:00 a.m.
14 Based upon the representation of counsel and for good cause shown, the Court also finds that
15 failing to exclude the time between April **20**, 2010 and May 18, 2010 would unreasonably deny
16 the government and the defense the reasonable time necessary for effective preparation, taking
17 into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further
18 finds that the ends of justice served by excluding the time between April 16, 2010 and May 18,
19 2010 from computation under the Speedy Trial Act outweigh the best interests of the public and
20 the defendant in a speedy trial. Therefore, it is hereby ordered that the time between April **20**,
21 2010 and May 18, 2010 shall be excluded from computation under the Speedy Trial Act. 18
22 U.S.C. §§ 3161(h)(7)(A) and (B)(iv).

23
24 DATED: April 19, 2010



HONORABLE SAUNDRA B. ARMSTRONG
United States District Court Judge